



## **Meeting Minutes**

### **BOARD OF SUPERVISORS, COUNTY OF MONO**

### **STATE OF CALIFORNIA**

Regular Meetings: The First, Second,  
And Third Tuesday of each month

**REGULAR MEETING**  
**July 17, 2007**

County Courthouse  
Bridgeport, California 93517

**9:00 a.m. Meeting called to order by Chairman Hazard**

**Pledge of Allegiance led by Supervisor Hunt**

### **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

John Peters, local business owner, talked about the need for a regulation baseball field at Coleville High School. There is not an opportunity to build a field at the school; he would like to see the ball field in Walker expanded so the team can host tournaments. Peters asked to be included on an August agenda to give a presentation about accomplishing this project. He has contacted the Marine Corps about helping upgrade the field, and has contacted the Public Works Department about land-use issues, but has not yet spoken with the CAO. Peters said the Walker ball field is heavily used and by making it a regulation baseball field, the school could host tournaments in their league.

Supervisor Reid suggested this presentation be given during the upcoming budget hearings. Reid said he will contact Peters with the hearing dates. Chairman Hazard asked Peters to contact the CAO and continue working with the Public Works Department in order to understand the County-wide perspective about this project before he presents the idea to the Board.

### **BOARD MEMBER REPORTS**

**Supervisor Reid** reported on the following issues and activities:

- (1) Attended the California State Fish and Game meeting at Memorial Hall on July 12. One of the items discussed was winter fishing in Mono County. On behalf of the Mono County Board of Supervisors, Reid commented during the meeting about the lack of communication on the part of Fish and Game regarding issues impacting Mono County. He let them know the process was flawed, and they should have a check list of contacts to ensure people are properly notified about issues. Fish and Game representatives indicated they would do what they could.
- (2) During the afternoon of July 12, met with Stacey Simon, people from the state water resources, and two members of the Walker Lake Water Acquisition Team regarding acquisitions of surface and ground water. Senator Reid is thinking about including California in legislation concerning water acquisition. Actually the issue has to do with purchasing Nevada water and storing it in Topaz and possibly the Bridgeport Reservoir. This proposal needs to be carefully considered regarding when and how much water would be released since this would impact fishing. Simon convinced the representatives not to change the legislation; however, it is Senator Reid's decision.
- (3) Will be unable to attend the Town-County Liaison meeting on Thursday. Also, may miss the regular Board of Supervisors meeting on August 7<sup>th</sup> due to cataract surgery.
- (4) Asked for follow-up regarding the thank-you letter to the Lions Club for the spaghetti dinner they provided during the Larson Fire.

**Supervisor Hunt** reported on the following issues and activities:

- (1) Reminded the Board about the dates of the RCRC annual conference (September 19-21, Napa Valley); registration is now open.
- (2) Received a letter that Snow Creek Athletic Club is closing. Asked about the County's wellness program. David Wilbrecht said there are two other facilities under contract. Hunt said he can understand the issue behind the closure, but it is a traumatic event; also, there is a lot of rumor about whether or not the town will buy the club. He speculated that the developer may construct high-priced condos.
- (3) Attended the Mammoth Lakes Housing, Inc., Board of Directors meeting on July 12. Discussed many issues, a big one being potential future projects and the County's attitude toward MLH. Regarding their request for \$20,000 from the County, they are claiming the money covers services rendered last year, and provided a written list of all the services offered for the \$20,000; the administrative fees they charge the County for grants do not cover all the services they provide to the County. They discussed the fee-for service concept and thought it was a business-like idea, but there is still the issue of past costs.
- (4) Attended the Great Basin Air Pollution Board meeting yesterday in Markleeville. Most of the business consisted of budget review. There was a discussion regarding Dumont Dunes and how recreational vehicles are causing air pollution problems. Great Basin will set up a monitoring device to determine the severity of the problem.

**Supervisor Bauer** reported on the following issues and activities:

- (1) When she left Bridgeport on Tuesday, there was a fire in the June Lake area but it was moving away from town. Ryan Dore, a local resident working for the CHP, provided a lot of help.
- (2) On Tuesday evening, attended an economic development meeting.
- (3) Worked at the jazz jubilee this past weekend; it was fun.
- (4) Spoke with Senator Feinstein's office about wilderness. Apparently Tom Bohigian is misrepresenting the support he is receiving in order to sell his proposal. Board Members should be careful when saying things to Tom.
- (5) Regarding YARTS, there is some complaining in the 41 corridor (Oakhurst). Mike Tollefson wrote a letter to the editor saying they never intended to close the park to cars. The same old problems are coming up; they are approaching them from different angles.
- (6) Eastern Sierra Partnership could use more members from the north part of the County.
- (7) The "rodeo grounds" project is proceeding: they have a schedule for the EIR, and draft documents will be made public in about 27 weeks.
- (8) Regarding a letter about the June Lake Community and handicap access, Marshall Rudolph, County Counsel, said he will look into it. Chairman Hazard said Dan Owens of Rolling Start in Bishop, may have funds to upgrade the building (the letter is on file in the Clerk's Office).
- (9) Supervisor Bauer said Ron Black formally resigned from the Planning Commission. Her first choice to replace him is Danny Roberts; she asked about putting this on the next agenda (August 7<sup>th</sup>).
- (10) Supervisor Bauer raised the issue about attending the Sierra Business Council Leadership Institute. Board members didn't oppose, but there was some question about whether or not the County should pay. David Wilbrecht said he would put this issue on the first agenda in August for further discussion.

**Supervisor Hazard** reported on the following issues and activities:

- (1) Attended the County management meeting on July 11. The issues raised and the quality of the discussions are impressive. This group has changed over the years, and the meetings are now more productive.
- (2) Held office hours in Chalfant on July 13. One person expressed concern about access to public lands with increasing development; he told this person that the planning process is on top of this issue. Other complaints had to do with the park: standing water in the restrooms, and vandalism to the tennis courts and swings.

- (3) Received a call about the hospital facility in Bridgeport; this person asked if the building could be painted and the garden area cleaned up. Chairman Hazard requested to have someone from CDF improve the appearance of the property. Supervisor Reid said he was contacted about the same issue; he told them this building will be part of the energy audit.
- (4) Attended the Great Basin Air Pollution Control Board meeting. Hazard expressed concern about the Owens Lake issue and funding for the mitigation of dust problems. The Great Basin board is treating the funding (from 270 money) as permanent revenue rather than temporary funding to bring the lake into compliance. Once the lake is in compliance, this funding will end; there may be more discussion about this issue. Hazard said he wanted to alert the Board about this situation since it could be significant.
- (5) Held office hours in Crowley Lake. Received a second complaint from a homeowner about the parking ordinance. Only two residences are impacted because there is no off-street parking.
- (6) Contacted by Mary O'Connor, representing Hilton Creek Service District and CSA #1. She wants to make sure the Crowley Lake Community Center and the two entry islands will be landscaped. Hazard told Mary he will continue to work on this issue.

## **COUNTY ADMINISTRATIVE OFFICE**

- 1) **CAO Report regarding Board Assignments (David Wilbrecht)**  
**ACTION:** Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

Dave Wilbrecht reported on the following issues and activities:

- (1) He is working with Supervisor Reid on the Walker Senior Center and IMAAA staff issues; he will meet with the colonel on the Marine Corps base to talk about child care.
- (2) There was good input at the recent management meeting.
- (3) Negotiations continue on the exchange parcel in Mammoth.
- (4) Met with Debbie of Southern California Edison; they may have a heliport at the June Lake substation, and they are willing to let Search and Rescue, and the Sheriff's Office use it for emergencies.
- (5) The Lions Club recently expressed interest in how the organization has changed in the County; talked with them about various department changes, and answered questions about affordable housing.

## **CLOSED SESSION**

***Adjourned for closed session from 9:09 a.m. through 10:09 a.m.; break from 10:09 a.m. through 10:15 a.m.***

- 2) **CONFERENCE WITH LABOR NEGOTIATORS.** Government Code section 54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, Robert Garret, Brian Muir, Greg Busey, and Richard C. Scholl. Employee Organization: Mono County Sheriff's Association (aka Deputy Sheriff's Association).
- 3) **CONFERENCE WITH LABOR NEGOTIATORS.** Government Code section 54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, Robert Garret, and Brian Muir. Unrepresented Employees: Associate Engineer III.

- 4) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Certain federal land in the Town of Mammoth Lakes, bordered by Highway 203, Sierra Nevada Road, and Mammoth Hospital. Agency negotiators: Dave Wilbrecht, Marshall Rudolph, and Brian Muir. Negotiating parties: Mono County, the Town of Mammoth Lakes, the USDA Forest Service, the Southern Mono Healthcare District, and the state Judicial Council, Administrative Office of the Courts. Under negotiation: price and terms of payment.

***Reconvened at 10:15 a.m.***

## **DEPARTMENT REPORTS/EMERGING ISSUES**

Lynda Roberts, Clerk of the Board, reported on the following:

- (1) Plan to cross train personnel in the Clerk's Office; Linda Romero and Christy Robles are interested in developing their Board Clerk skills, so they may attend meetings on occasion.
- (2) Presented a new tracking system for Board directions given to staff; will work with Chairman Hazard and the agenda review committee to refine the process.
- (3) Asked for direction about the type of correspondence the Board wants put on the agenda. Supervisor Bauer said any correspondence addressed to the entire Board should be included.
- (4) Will start emailing the draft agendas to the Board so they have advance notice.

Tom Wallace, Health Department, reported on the following:

- (1) Participated on the benefits committee for the County Medical Services Program (CMSP). Was involved at the State level because of a concern about the increase in participation fees. The budget expected to be adopted next Thursday by the governing board has no increase in those fees. Furthermore, they will adopt two grant programs (pilot studies) to expand both mental health, and drug and alcohol services reimbursed through CMSP. These grants will be available to rural health clinics, such as the Mammoth Hospital District. The Hospital can use the grant money to help enhance their newly established mental health program.

Nancy Boardman, Animal Control, reported on the following:

- (1) Responded to a letter the Board received about a new assembly bill (Bill 1634) that would prohibit anyone from owning or possessing a dog or cat over six months old that has not been spayed or neutered (except under certain circumstances such as those who breed animals). The citation for owning or processing an intact animal would be a maximum of \$500. She distributed a copy of the proposed bill (on file in the Clerk's Office). Boardman said the public is very emotional about this issue; her department is staying neutral about this bill, as is the California Veterinary Association. This bill was supposed to be heard on July 11, but was pulled and will be reviewed in six months. In response to a question from Supervisor Reid, Boardman said Animal Control only spays or neuters animals after the holding period, at which time animals become the responsibility of the County. She mentioned that the proposed bill has changed over time, and there may be an unfunded mandate for a different solution, such as citing people for having an intact animal if it is picked up for another violation.

Sheriff Scholl reported on the following:

- (1) Last January the Governor signed Assembly Bill 2105 to amend the Welfare and Institutions section in the Health and Safety Code, regarding the transportation of human remains across state lines. Scholl has been working on this issue, and will be meeting with the funeral home and registrar's office in Nevada to try to resolve it. The law states that if a person dies within 50 miles of the state line, a body can be transported up to 20 miles across state lines without a death certificate; the nearest funeral home in Gardnerville is about 24 miles. The legislation

may have to be amended; it depends on how the law is interpreted. The Mono County Counsel's Office is reviewing this issue.

Ed Zylman, Social Services, reported on the following:

- (1) Talked about the cost of indigent burials; there are options available that would save the County money. Zylman would like to pursue this topic with the Board in the future.

Scott Burns, Community Development, reported on the following:

- (1) Brief update on the Mountain Express ridership, started between Lee Vining, June Lake, and Mammoth in December. The ridership hasn't been good. At the last Local Transportation Commission meeting, the Commission decided to give the program a month or two to see if the ridership increases over the summer. As of July 15<sup>th</sup>, there have been 27 riders. The LTC will discuss this again at their August 13 meeting.

## REGULAR AGENDA

### DEPARTMENT OF FINANCE

- 5a)** Set the Date for the Start of Fiscal Year 2007-2008 Budget Hearings (**Brian Muir**)  
**ACTION:** Give direction to the Director of Finance and the Clerk of the Board regarding the date to begin Fiscal Year 2007-2008 budget hearings.

Brian Muir, Finance Director, recommended holding the budget hearings during the last week in August, and then dealing with the policy items at the first meeting in September. The time in between would allow the Board to absorb the information and think about it before making final decisions.

Supervisor Hunt asked if the Board would have the year-end budget results for FY 2006-2007. Muir said yes, the carryover amount and final balances will be available.

The Board decided on the following schedule: August 27<sup>th</sup> in Bridgeport; August 28<sup>th</sup> in Mammoth; and August 29<sup>th</sup> in Bridgeport. The Board will deal with final decisions and policy issues on September 4<sup>th</sup>.

David Wilbrecht, CAO, said the Board needs to hold a special meeting before the end of the month in order to finalize the land exchange. He asked if the Board would like to include a budget workshop. The Board indicated yes. The special meeting will be scheduled for Tuesday, July 24<sup>th</sup> at 9:00 a.m. in Mammoth Lakes.

- 5b)** Quarterly Treasury Investment Report (**Brian Muir**)  
**ACTION:** Receive quarterly investment report on the Mono County Treasury Pool.

Brain Muir, Finance Director, referred to the quarterly treasury report in the agenda packet. He talked about the County's participation in the market. The County's average maturity is about 289 days, so the County isn't out too far in the market; he recommended maintaining the status quo at this time. Until there is a definite trend in rates, the County doesn't want to be heavily out (i.e. at the five-year level). This is a conservative strategy while watching the market changes. Regarding cash flow, he said typically the cash flows tighten in August, September, and October—\$3 million will mature in August and \$5 million will mature in September (this is by design to cover the period when the cash flow tightens). Money will be available so the County doesn't have to sell securities in the open market and perhaps take a loss. Lastly, he said he did some adjusting in accounting for securities to better deal with gains and losses.

## MENTAL HEALTH

- 6) Contract with Crestwood Behavioral Health 2007-09 **(Ann Gimpel)**  
**M07-178 ACTION:** Approve County entry into a proposed two-year contract with Crestwood Behavioral Health for mental health rehabilitation services, and authorize the Board Chair to sign said contract on behalf of Mono County.  
**(Hunt/Reid, 4-0; Farnetti absent)**

Ann Gimpel, Mental Health Director, said this contract is a renewal with Crestwood Behavioral Health, which is a locked facility in Sacramento; there is one Mono County client currently in the facility. He has been there a long time and it is evident he will continue to reside there. The contract amount of \$120,000 represents the \$5,000 per month to keep this person in residence. They have had the contract with Crestwood for two years, and this facility provides a better class of treatment than the previous facility.

Supervisor Reid asked if Medicare or Medical covers any of the cost. Gimpel said no, the money comes out of realignment funds, which are used as a match for Medical reimbursable services. Fifty percent of the funding comes from federal financial participation. Reid asked about other services that can be provided by realignment funds. Tom Wallace, Mental Health Department, said there are three different state trust funds for realignment: health, social services and mental health. Each have distinct guidelines. Mental health (the most restrictive) requires services to be provided to the target population as defined in the Welfare and Institution Code. Gimpel is talking about using mental health realignment for the highest level of need as defined in the target population, which is someone severely disabled and incapable of living independently. The Crestwood facility is an alternative to the state hospital service; he said they haven't used the state hospital for 10-15 years, and don't expect to use it again. Federal law prohibits any reimbursement from Medicaid or Medicare.

Gimpel said they have chosen to be the managed mental health care plan, and part of the contract states they will go at risk to provide whatever it takes to treat and stabilize people with severe mental disorders. There is a small county risk pool so if there is a year with high unreimbursed expenses to Medical beneficiaries, the department can apply for a reimbursement. They have about a half million dollars in realignment, and the state pays about \$131,000 per year for the managed mental health care plan.

Wallace said they get the realignment funds on the condition that they provide services to the target population. Gimpel said if the patient could be moved into a "step down" that is also run by Crestwood, then they could bill Medical for his services. He was moved during the last 18 months, but it didn't go well. The entire \$120,000 is used for this one patient.

## SHERIFF-CORONER

- 7) Resolution authorizing Richard C. Scholl and Dave O'Hara to apply for and administer Office of Homeland Security FY 07-08 Homeland Security Grant Program **(Richard C. Scholl)**  
**R07-50 ACTION:** Adopt **Resolution R07-50**, "Board of Supervisors, County of Mono Authorizing Sheriff Scholl or Current OES Coordinator to Apply for and Administrate Office of Homeland Security FY 07 Homeland Security Grant Program  
**(Bauer/Hunt, 4-0; Farnetti absent)**

Sheriff Scholl said this has been an on-going program overseen by Sergeant Dave O'Hara. O'Hara said the action before the Board is governing body approval to apply for and administer the grant. By approving this action, the Board will authorize O'Hara and the Sheriff to sign the grant and administer it through the Town of Mammoth Lakes, the fire departments, and EMS.

Supervisor Bauer suggested it would be good for the Board to stay informed on this topic. O'Hara said there is a board that consists of the Sheriff, the Fire Chief in Mammoth (who is the operational area fire coordinator), the Chief of Police of Mammoth Lakes, and the EMS coordinator. The Sheriff's Department has one vote in determining how the money is spent. There are two grants within one: the State Homeland Security Grant Program and the Law Enforcement Terrorism Prevention Program Grant, which is split with the Town of Mammoth Lakes. It is unknown at this time how much money will be awarded under the homeland security grant; the state homeland security representative suggested maintaining last year's funding levels at this time. Depending on the level of funding, the Sheriff's Department intends to purchase radios for the fire service and portable repeaters, to avoid the same communication problems that occurred during the Larson fire. No decision has been made about how to spend the law enforcement portion, but one idea is to purchase a communications switch (which will soon be required by the federal government) that allows integrated communications between various agencies. O'Hara said if the Board is interested, a member can be involved in the meetings.

Supervisor Reid asked if anything can be done to solve the problems with Verizon. O'Hara expressed his frustration with Verizon and the lack of telephone capacity. The company seems to be inept and uncooperative. He suggested the Board contact a representative in Sacramento to make this issue a priority; the PUC needs to be pushed to do something. Supervisor Hazard suggested COG get involved; perhaps the issue can be put on their agenda. Supervisor Reid suggested putting together a committee to identify the problems and the potential solutions. Dave Wilbrecht, CAO, said Senator Cox might be able to help. He suggested developing a white paper outlining the facts, and then approaching the legislators to solicit their help. Supervisor Bauer thought Senator Cox might support legislation concerning this issue.

## COUNTY COUNSEL

### 8) Possible Sale of County Property (**Marshall Rudolph**)

**ACTION:** (1) Receive staff report regarding legal process, and options, for disposing of certain County-owned real property in the Coleville area of the County (APN: 01-100-67). (2) Consider and potentially adopt proposed resolution of intention to sell said property, **Resolution R07-\_\_\_**, "A Resolution of the Mono County Board of Supervisors Declaring Its Intention to Sell Certain County-Owned Real Property (APN: 01-100-67) and Specifying the Terms and Conditions of Said Sale", and take such other, related action as the Board may deem appropriate. (3) Provide any other desired direction to staff.

Marshall Rudolph, County Counsel, said this issue came up in May at the adjourned meeting in Walker. Rudolph outlined the situation:

- A private party, The River Ministries (represented by Pastor Lon Smith), is interested in acquiring (by purchasing or leasing) County property in order to develop a variety of facilities, including a church, a day care center, and a community center.
- The County obtained the property in question for \$42,000 as a result of a litigation settlement. This property is not restricted in any way. It is 8 acres in size and has an agricultural designation. At one time the parcel was used as a mixing table.

- When first approached by Mr. Smith, Rudolph asked the Public Works Department to determine if they had any interest in using the site; the answer was no. At this point the question is whether or not there is a County use for the site.
- The first decision point was whether or not the Board had a conceptual interest in selling this property; the Board made that decision at the Walker meeting and so Rudolph proceeded to prepare the item for today's agenda.
- The process to sell public property is a bid-type process. Anyone can bid on the parcel and it is awarded to the highest bidder, so the highest bidder could be the River Ministries, or it could be someone else. The proceeds from the sale would go into the general fund.
- At the Walker meeting, the Board asked County Counsel to present this issue to the Antelope Valley RPAC, which he did. The RPAC did not discuss the issue or offer opinions, and has not contacted County Counsel since that meeting.

Rudolph then outlined various decisions the Board will need to make:

- The Board needs to consider whether or not the County could use this property for future purposes. There is no obligation to sell the property. If the Board decides to sell the property, there is a general presumption in the law that the property is being sold because the County does not need it. Theoretically the Board could sell the property to generate money. When the Board met as the Housing Authority last week, it was brought to their attention that the Board may want to retain this property for housing purposes. Rudolph said he mentioned this issue at last week's management meeting, so department heads are aware about the availability of this property.
- The Board can begin the process today and stop at a later time if they so choose. The Board does not have to designate this as surplus property. The Board can also choose to notify other public agencies and nonprofits to determine if there is an interest by another agency; this would be a negotiated sale.
- If the Board decides to sell the property and not offer it to other agencies, then they need to pick a sale process; there are two procedures. One is fast and simple, but limiting; this would be a public auction on the courthouse steps with five days notice, sold for cash to the highest bidder. The second process provides more flexibility and gives the Board the opportunity to craft the terms of the sale; the Board can even reject all bids and withdraw the property from sale.

Rudolph said the Assessor's Office suggested a fair asking price would be \$165,000. The Board can pay to have an outside appraisal done if they so choose. He then asked the Board for further direction.

In response to questions asked by Supervisor Reid, Mr. Lon Smith said they are interested in purchasing the property (rather than leasing). They have extensive plans and would be able to use the full 8 acres. Rudolph pointed out that the property is currently designated as agricultural, so there would be a process through the planning commission to change the designation if the intended use isn't allowed under the current designation; a change in designation would come after the sale. Smith said he has communicated with the County about the designation.



Scott Burns, Community Development Department, said they would require the owner to apply for a use permit. He said a few years ago, the Community Development Department conducted a capital facilities planning process in the south part of the County; now with more activity in the north, they need to do a comprehensive planning process there. Considering the scenic corridor, the Board needs to decide where they want development to occur. Regarding the parcel in question, the County can sell just a portion of the property. Rudolph said the County is in the process of acquiring the adjacent property, which opens up the possibilities for County uses.

Supervisor Reid said he has not heard any opposition to the proposed action. He also said he supports the more flexible process for selling the property, if the Board decides to move forward.

Brian Muir, Finance Director, reiterated that the land in question has no encumbrances, and at some point in the future, they may be interested in using it for County facilities. If the land is not available, the County will have to look for a parcel. He recommended the Board retain the parcel even though there may be no immediate need.

Supervisor Bauer asked Mr. Smith if his organization needs all eight acres. Smith said they would be interested in 3-5 acres. Supervisor Reid said 10-20 years down the road, the County could need property for a public purpose; eight acres is a lot of land. At this point he suggested they consider selling only half. David Wilbrecht, CAO, mentioned that other departments have discussed the need for new facilities; there are a lot of questions right now and there is not a solid plan in place. The needs are increasing in the Antelope Valley area. Evan Nikirk, Public Works Director, agreed—the Board needs to consider future growth in the Antelope Valley. Public Works has been approached by Ed Zylman, Social Services Department, about their needs in this area. Rudolph said only a portion of the parcel is conducive to building.

Supervisor Hunt supported keeping the County's options open; the County needs to consider proper planning for the parcel. Also, for general planning purposes, the Supervisors need an itemized list of County-owned property. Supervisor Bauer said there are needs in the Antelope Valley community, and the proposed project would accommodate those needs. She supported selling a portion of the property and retaining a portion for future County use.

Rudolph reminded the Board that this would not be a negotiated sale; the property would go to the highest bidder. Even if the interested party gets the property, they are not required to build the projects they have proposed.

Chairman Hazard asked Mr. Smith why they are interested in this piece of property. Smith said it is the right size and it is not too close to neighbors. He said the community is excited about the possibility of a day-care center; the military has indicated their willingness to help with the construction.

Chairman Hazard expressed concern about selling the property without first exploring the County's future needs. Even selling a portion of the property could create issues about conflicting land uses. He suggested it would be easier at this point to review the situation rather than start the sales process and stop it later.

Rudolph said if the Board were to take action to approve the sale, it would require a 4/5ths vote. However, the Board cannot take action at this meeting to sell just a portion of the property because a surveyor will need to redo the legal property description.

Supervisor Reid said he would like to have staff meet and confer on site with Mr. Smith to determine his needs as well as consider the County's needs.

At the conclusion of the discussion, the Board decided to ask the Public Works Department and the Planning Department to review the situation on site and return to the Board with more information about potential uses considering the County's future needs.

## **PUBLIC WORKS**

- 9a)** Furniture Purchase for Board of Supervisors' Chambers (**Kelly Garcia**)  
**ACTION:** Receive presentation regarding replacement furniture for the Board of Supervisors' chambers. Give desired direction to staff.

Kelly Garcia, Public Works Department, presented various options about the new seating for the Board chambers (documentation is on file in the Clerk's Office). Two of the options would add between 25 and 32 new seats; the third option would change the configuration of the room, and would provide the most seats at the lowest price. She recommended the medium oak finish on the chairs to match the wood in the room. Funding is available through the rehabilitation money; the maximum cost would be about \$9,000. One option would move the administrators' table to the other side of the room; the administrators' said they prefer their current location. David Wilbrecht, CAO, said his preference is Option B; members of the Board concurred. Garcia said she can order the furniture and work on the configuration later. She will work with the CAO to make the purchase.

- 9b)** Tenant Improvements to Sierra Center Mall for District Attorney (**Kelly Garcia**)  
**M07-179 ACTION:** (1) Adopt and approve plans and specifications for tenant improvements to the Sierra Center Mall for the District Attorney's office. (2) Approve and authorize the Clerk to the Board, in consultation with the Department of Public Works, to advertise for bids. (3) Approve and authorize the County Administrative Officer to process and execute appropriate construction documents during the bid process. (**Bauer/Hunt, 4-0; Farnetti absent**)

Kelly Garcia, Public Works Department, said she has been working with Pete Mokler, architect, concerning the design for the District Attorney's new office space on the second floor of the Sierra Center Mall.

***Break at 12:15 p.m. through 12:20 p.m. to allow for presentation set up; reconvened at 12:20 p.m.***

Pete Mokler gave a PowerPoint presentation outlining the plan for the office space. There is one step left before submitting the plan to the Town for a building permit and putting the project out to bid. He highlighted the following:

- The large entrance doors will be refinished and the entrance will be redesigned to include a foyer.
- The transaction window in the foyer area will include bullet proof glass.
- In addition to office space, there will be a conference room, a break room, storage space, and a file room.
- Old windows will be replaced and additional windows installed. The windows will be operable.
- The ceiling systems and lighting will conform to mandated standards, and the space will include sound-absorbing material.

Supervisor Bauer asked how long construction will take. Mokler said about 10 weeks. The cost is estimated to be about \$170,000 before prevailing wage, bonding, and insurance.

Dave Wilbrecht, CAO, said Mokler is also working on the third floor redesign of administrative offices, which should help reduce overall costs. The budget for both floors will cover all but about \$40,000-\$50,000; a request for this difference will be presented to the Board at a future date.

- 9c)**
- M07-180**
- Final Approvals for Parcel Map 35-33, Baysore (**Evan Nikirk**)
- ACTION:** (1) Accept on behalf of the public the offer of dedication for street, drainage, and public utility purposes that right-of-way on G-Bar-T Ranch Road as shown on Parcel Map 35-33. (2) Reject on behalf of the public the offer of dedication for street, drainage, and public utility purposes that right-of-way for Dakota Ranch Road as designated on said map. (3) Approve and authorize the Public Works Director (in consultation with County Counsel) to execute a subdivision improvement agreement between the County of Mono and Douglas Baysore for completion of improvements associated with Parcel Map 35-33. (4) Direct and authorize the Public Works Director to file and record the above subdivision improvement agreement and a Notice of Development Conditions on Property for the project in the office of the County Recorder.
- (Hazard/Reid, 4-0; Farnetti absent)**

Evan Nikirk, Public Works Director, reviewed this item:

- Parcel Map 35-33 will subdivide a 282.4-acre parcel (APN 24-040-01) on G-Bar-T Ranch Road in the community of Benton into three parcels of 2.5 acres each, one parcel of 10 acres, offers of dedication of 2.47 acres, and a remainder parcel of 262.4 acres.
- The Planning Commission approved the map on Thursday and before the Board today are consideration of the offers of dedication and subdivision improvement agreement. The improvements required include an access road, drainage facilities, dry utilities, street signs, and relocation of a perimeter fence.
- Public Works recommends accepting the developers offer of right-of-way on G-Bar-T Ranch but not Dakota Ranch Road, since the subdivider will not be paving the road or establishing a zone of benefit to provide for long-term maintenance of the road.
- The developer will not implement CC&Rs for the project, so instead he has developed a maintenance agreement to establish the maintenance requirements for the improvements.
- The map conditions have all been satisfied.
- The surrounding lands are designated agriculture; the land to the west and south is BLM land.
- There were no concerns expressed at the meeting when the final map was approved.

## ASSESSOR'S OFFICE

### 10) Monthly Status Report (**James Lovett**)

**ACTION:** Receive monthly report from Assessor Lovett regarding his operations, status of various projects and work items. Direct staff as needed to achieve the Board of Supervisors' goals and objectives.

James Lovett, Assessor, provided an update about several assessment appeals (major issues):

- The Assessment Appeals Board met on July 16 to consider 25 items, two were withdrawn. There were numerous items this year because of multiple appeals on escaped assessments on several of the properties.
- The Board is encountering a problem with several members having conflicts of interest; the Board may need to appoint more members to ensure the availability of a quorum. Marshall Rudolph, County Counsel, said it is a challenge to find qualified people to serve on the Assessment Appeals Board since they need to be specifically qualified. He asked the Board to contact him if they know of qualified people.

Lovett continued:

- Mammoth Mountain is currently gathering information requested by the County, except they are being reluctant about providing information for 1997. Consultants will hopefully put together the 2005 report, and the Assessor's Office can rebuild 1997 from 2005. The Assessor's Office has completed the reappraisal of condominiums and non-ski area facilities; the golf course should be completed soon. All reappraisals have been appealed, mainly because of the 1997 change of ownership issue
- Regarding CNL (the shopping center in Mammoth), the property was originally appraised for \$23 million; after taking the income approach and allowing for "humbuz" (a rent reduction program), the figure ended up at \$16,300,000. CNL signed the stipulation. The Assessor's Office reviewed other shopping centers in Mammoth that do not pay humbuz fees (they do not make rent concessions); they maintain an income stream of \$2.30-\$2.50 per square foot. Using this figure without humbuz, the final value for CNL is \$18 million. It is doubtful that CNL will stipulate to this; their counsel indicated that they would go through a hearing.
- The Cino house is now complete. Sent them a property statement to get the 2006 costs that were expended on the house; the statement was not returned. The Assessor's Office valued the house at approximately \$15 million using the percentage specified in the Revenue and Taxation Code, which applies to all the Cino tangible property that wasn't reported.

Supervisor Hunt asked if there was any way to bring the Mammoth Mountain appeals to a head, since this issue continues to drag on. Lovett said he could not think of anything to compel them to hurry. Under section 441B they don't have to provide requested information, but only make it available by indicating where to find the records. There is a question about whether or not this issue is a change in ownership; the Assessor's Office will make a determination and then let the court decide. The final option will be to take the property statements and create a 1997 value for the role.

Supervisor Hazard asked Lovett about staffing issues. Lovett said he has one more interview for Appraisers II and III, and will make a decision on Monday. Two of his retired employees are willing to work during this transition time, so the office is in good shape.

Supervisor Reid asked about the process of valuing the CNL property; it was on the books for \$23 million, and dropped to \$18 million. Lovett explained that the appraiser does the work, and the chief appraiser reviews it. In the case of CNL, they looked at other commercial properties but didn't have any similar properties inside the County for a comparison. When appraising complex property, such as CNL, there are issues that can arise.

Supervisor Reid also asked about the Cino property that had originally been appraised at \$22 million, but was now at \$15 million. Lovett said he believed the reappraisal was at \$16 million. When he became Assessor, the property had been valued at \$1.8 million for several years because no one knew what to do with the property; it was too complex. Reid asked if Dave Rodriguez had appraised the Cino property; Lovett indicated Rodriguez had nothing to do with this property appraisal. Reid asked Lovett to check and let the Board know.

Supervisor Reid then asked about the status of a grievance against Lovett filed by Local 39. Lovett said he verbally apologized to his staff members and is writing a follow-up memo to them. Reid said there are a number of people in the office to whom Lovett never apologized. Lovett said he may not have spoken with everyone yet, and this is why he will send a memo to each person. Reid asked Lovett about a statement he made to his staff suggesting that Reid had given him names of two people who were providing information to Reid about the office situation; Lovett said he didn't recall such a statement. Reid said this statement hurt his credibility. Lovett apologized to Supervisor Reid, and said he will make this apology in the memo he sends to his staff.

Supervisor Reid asked about the use of alcohol in the workplace. Lovett said this has stopped and he is taking medication to solve the problem. Reid asked Lovett if he is telling the Board he won't drink before coming to work; Lovett said he won't drink. Reid asked Lovett if he would be willing to take random blood alcohol tests; Lovett said he didn't know if he would be willing to do that. Reid said taking the tests would reinforce what Lovett is saying he will do. Lovett said he is committed to not drinking during the daytime.

Supervisor Reid asked Lovett how much time he spends in the work place. Lovett said he is in the office most of the day (going back and forth between work and home during the day), and is leaving at about 4:30. He said he spends 6 to 6 ½ hours in the office and does a lot of work at home. Reid asked about the need for Lovett's leadership presence in the office. Lovett said the office is top heavy in management, so it is being managed in his absence. Bob Musil is there most of the time, and he works 8:00 a.m. to 5:00 p.m. Supervisor Reid said he realized that as an elected official Lovett doesn't have to be there all the time, but when he was initially hired, he indicated to the Board and the CAO that this was a full-time job and he would be there. Lovett said he intends to be in the office, and has told people he has an open door. Reid said he wants Lovett to succeed, but Lovett needs to come to work clean, healthy and sober.

Supervisor Bauer agreed that blood alcohol tests would prove Lovett's sincerity, but need to be done early in the day. She also expressed her concern about employee problems. Lovett said his office is doing a good job; they are a good team. There have been bad moments for which he apologizes.

Supervisor Hunt said the Board is watching this situation (shortcomings as well as successes) and expects reasonable work. Lovett said he has no objections.

Chairman Hazard said he looks forward to receiving additional reports from Lovett and seeing improvements in the situation. Because the Assessor's Office is the entry point for County finances, it is important that the office succeed. The Board has made it clear they have concerns.

Lovett said his office is getting the job done, as reflected in the 16% increase in the assessment roll and the decrease in backlog. Chairman Hazard thanked Lovett for his comments. Supervisor Reid asked Lovett to think about how much better the rolls could be if he were at work all the time. Even though other assessors are not in their offices all day, Reid said he only cares about Mono County and Lovett's agreement with the Board when he was initially hired. Lovett said he does make this a full-time job whether he is working in the office or at home.

**ADJOURN @ 2:37 p.m.**

6:00 p.m.

## ***Reconvene Evening Meeting at the Benton Community Center***

**Meeting called to Order by Chairman Hazard**

**Pledge of Allegiance led by Supervisor Bauer**

### **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

Public comments: A member of the audience asked about the status of the Conway fire. Mark Mikulicich said he thought it was contained; Highway 395 is open. Roger Thompson, Cal-Fire, said hose lines are around the incident, and it is about 90% contained.

### **EMERGENCY MEDICAL SERVICES**

#### **11) Emergency Medical Services in Tri-Valley Area (Mark Mikulicich)**

**ACTION:** (1) Receive presentation regarding emergency medical services in Tri-Valley area. (2) Provide any desired direction to staff.

Mark Mikulicich, Emergency Medical Services, gave a PowerPoint report about the work of the EMS committee; this is the same report he gave during the Board meeting of June 12. The report in its entirety is on file in the Clerk's Office. Mikulicich highlighted the following information from the report:

- History of the Tri-Valley area. The area originally had no 911 access, and local volunteers provided emergency treatment and transportation. In 1968, White Mountain Fire Protection District was created; Chalfant Community Service District was formed in 1988. A general service fee was added for funding EMS and fire operations, and an ambulance was purchased.
- Growth and development projections. Growth is expected to increase along the Highway 6 area; trucking, residential and tourist traffic are expected to increase. Trucks may transport hazardous materials, so CalTrans is widening some roadways in anticipation. As a result of growth, requests for EMS services are expected to increase.
- EMS Services. EMT training is required in order to operate an ambulance. Training includes a minimum of 120 hours of classroom time, plus field time, recertification requirements and continuing education. New requirements are making it difficult for volunteers to train and

become EMTs. Some fire departments are using emergency responders instead of EMTs, but emergency responders don't meet ambulance requirements. Medical Emergency Responder is a good first step for people prior to taking EMT classes. The County has helped provide EMT training; at this time volunteer participation is needed, but is uncertain. Both White Mountain and Chalfant provide basic life support and ambulance transportation. White Mountain has less EMT availability, and no support fees; ALS and BLS service from Bishop takes 35 minutes or more (one way). Two BLS ambulances are needed to cover both ends of the valley. Chalfant provides its own ambulance.

Supervisor Hazard said there will soon be new regulations for EMTs that will make certification more difficult; the State may require fingerprints and background checks, which will add expense and travel time to the certification process.

Mikulicich continued:

- Ambulance unit 888 is provided by the County for White Mountain and Chalfant, and it will continue to operate out of the same station. If funded, additional services will probably be stationed mid valley. There are currently about 100 calls annually (60 for EMS, 40 for fire); this is expected to increase with development. The demand is taxing volunteer availability.
- Mikulicich outlined the options contained in chapter seven of the report, and said he recommended option number 3: Provide a County funded Basic Life Support ambulance, staffed with paid EMTs, aligned with the current County system and operating hours (24/7).
- He then reviewed the estimated costs outlined in chapter eight of the report. Start-up costs (i.e. facility and ambulance) for paid service 24/7 are high; an offer of a property donation has been made, or there is the possibility of mitigation from larger developers. Operating a station would cost about \$72,000 annually, excluding salaries. Total personnel costs will vary depending on the level of service and the schedule of operation; costs could be between \$300,000 and \$500,000. In the last six years there have been about 500 calls for service, with a steady increase.
- Revenue from insurance billings is around \$30,000-\$50,000 per year (BLS and ALS rates), depending on the number of calls and level of service.
- EMS response times in the south County locations can be between 25-35 minutes or more; the longest response times are in Hammil Valley, Benton and Montgomery Pass. There is no back up EMS in this area; service is provided by volunteers. In the near future, the demand will tax the level of service.

Supervisor Bauer said response times may vary and be longer than the average times listed in chapter nine. Mikulicich agreed and said there are many variables; the estimated times are for best conditions. A member of the public pointed out that this area is second priority for Symons Ambulance service (private company).

Supervisor Hazard said there is an aging population in the valley and the highway presents the possibility for accidents involving major trauma. There are different demands on response times and levels of training.

Supervisor Reid asked if training EMTs was a financial problem or lack of volunteers. Mikulicich said there is a lack of volunteers, and the training requires a big personal commitment on the part of the volunteers. An audience member commented that people aren't willing to volunteer like they used to. People work in Mammoth and Bishop and don't want to commit to the EMT class after working all day; or they are retired and don't want to volunteer.

Supervisor Hazard reiterated the problem with finding volunteer EMTs: time commitment involved for training; time involved for background checks and fingerprints; testing is only offered outside the area; and EMT instructors are now required to be trained in adult education. After people are trained, some realize they do not want to be an EMT, or people decide to make it a career and leave the area for a high-paying position. Hazard said most of the problems are because of state-based requirements and not ICEMA.

Audience members said background checks and fingerprinting would be onerous for volunteers. One volunteer has already been fingerprinted four times by various entities, so it is evident that information is not being shared. It could be that volunteer ambulance service is becoming a thing of the past.

Supervisor Hazard said this report opens the door for further discussion, which should include a slow, methodical examination of issues and expenses. He raised a concern about the amount of time available for such a discussion before the current system collapses. He said it is better to address this issue before it becomes a crisis situation. The community needs to give input to the Board.

Supervisor Reid asked about the total cost for the paramedic program. Mikulicich said it is about \$600,000 per station, a total of \$2.4 million per year. They generally bring in about \$1 million in billed revenue and forest service reserve money, and last year the TOT added about \$340,000. The cost to the general fund is about \$1.4million. Supervisor Hunt asked how services have changed over the last five years. Mikulicich said about three quarters of the 24-member staff are senior medics, and a quarter of the work force is new, so earning starting wages. Salaries and benefits have increased costs, half of which comes back in revenue. The County-paid EMS employees are cross trained and can work with fire departments as fire fighters, a service the County would not get with a private ambulance company.

An audience member asked about having a medivac helicopter stationed in Bishop to service the Owens Valley. Mikulicich said generally this is a great idea but helicopters have limitations based on weather and time of day. Brian Muir, Finance Director, suggested they consider the possibility of contracting with fire districts for EMS services. Mikulicich agreed with the merit of this idea, which they have not fully explored.

Supervisor Bauer asked about the cost of services provided by Symons ambulance service. Mikulicich said the cost could be about \$300,000 for EMT services offered 24/7. This option can be explored further, but they would need to do an RFP in order to get solid numbers from private service providers. Supervisor Bauer said the County is not required to provide services, but the system exists because the general fund has been able to help support the program. Other counties similar to Mono have had to shut down their programs because they are not getting enough in general fund revenue for needed support.

Supervisor Hazard said the Board will hear about this issue again at budget time.

## **COUNTY ADMINISTRATIVE OFFICER**

- 12) Mosquito Abatement (David Wilbrecht and SCI Consulting Group)**  
**ACTION:** Receive presentation from SCI Consulting Group on the Mosquito Abatement Planning. Direct staff as desired on next steps, if any.

David Wilbrecht, CAO, said on May 15<sup>th</sup> at the adjourned meeting in Walker, the Board received a petition from citizens interested in a mosquito abatement program (there are currently two districts in the County: one in Mammoth Lakes and the other in June Lake). The SCI Consulting Group talked to the County about 18 months ago regarding an abatement district, but the timing was not right. The



Board has indicated they do not want to fund a mosquito abatement program from the general fund, but may consider other options—such as creating a special district, a service which SCI Consulting Group provides.

Gerard van Steyn from SCI said his consulting group helps agencies deliver services; he gave a PowerPoint presentation about funding new mosquito and disease control services (a copy is on file in the Clerk's office). He highlighted the following:

- There are three general types of funding options available to public agencies: (1) new development impact fees collected at the time a building permit is issued; (2) additional annual levies on property; (3) a tax or fee voted on by the community to fund certain services. In addition to mosquito districts, SCI has also worked on fire services and parks.
- Before holding an election regarding funding for services, it is crucial to invest in a survey to determine if a measure has community support. A survey can accurately tell if the community wants services enough to pay for them. Mosquito abatement generally has an advantage because the cost is more affordable than other services (approximately \$4 to \$30 or \$40 per year; generally higher in a rural community); other measures, such as a fire department, may cost about \$250 per year.
- A benefit assessment election for mosquito abatement is recommended over a parcel tax. A benefit assessment is decided by property owners who can vote over a period of time. Every property owner's vote is weighted by how much they are being asked to pay, so the outcome is decided by a weighted majority. A survey could also evaluate the interest in both a special tax and a benefit assessment election.

Supervisor Hunt asked what would drive a community to fund a mosquito abatement district if there is not a perceived problem. Van Steyn said if a community does not perceive a problem, then it is unlikely they will support the district. A survey can be used to inform and educate the public, and put the question in the context of whether or not the community wants services enough to pay for them; this tends to lead to a true response. Supervisor Hunt asked about surrounding areas excluded from the survey. Van Steyn said the best approach is to conduct a survey that includes a wider community.

Dr. Johnson, Public Health Officer, said the interest in mosquito abatement started with the advent of the West Nile virus. He said he believes West Nile generally won't be a big issue in the Eastern Sierra; however, hanta virus has been in the Sierra for generations. The County should be concerned with vector control since there have hanta cases every year; also there is an increase in hanta and plague since mice populations are up and food sources are down.

Supervisor Reid agreed with Dr. Johnson regarding the hanta virus situation. He asked about the cost of a typical survey. Van Steyn said it depends on the extent of the survey area and how many questions are asked. For example, if the survey includes questions about mosquito and vector control, and local funding options, and the survey is administered County wide, the total cost would be about \$5,000. If the Board is interested in a survey about other services, such as a park district, fire district or EMT services, these are separate issues that would require additional surveys; it does not work to ask too many questions on one survey. Usually it is best to survey the community about only one issue in a two-year period, so the Board needs to make a decision about which survey to do first.

Dr. Johnson said there could be a competing issue if the school district has a ballot measure regarding a parcel tax. Van Steyn said overlapping measures are always an issue; however, if the Board proceeds with a survey about vector control using the benefit assessment option, there is less of an issue with overlap. He did not think the school issue would have too much of a negative impact.

An audience member asked if this would be a County-wide survey or just a particular area. Van Steyn suggested a County-wide survey, designed to get a representative sample. The results could then be reported on a community-by-community basis to determine the level of support.

Supervisor Reid asked if the County would fund the survey. Van Steyn said yes, the County pays for the survey; many times incorporated and unincorporated agencies pool their resources to conduct the survey. Also a survey can be done in any size community—using a mail survey for these types of measures replicates the look and feel of an actual ballot.

Supervisor Reid asked how the cost per household would be determined if a majority voted for the mosquito abatement district. Van Steyn said typically SCI takes the cost and divides it by the parcel base to get the rate per home. If the rate seems too high, SCI can advise the County about a more cost effective program. Supervisor Reid said some households in a district may be opposed to spraying. Van Steyn said for mosquito control, the objective is to identify all breeding sources and control mosquitoes at the source; Inyo County's objective is to minimize spraying since it is not as effective. If necessary, plant-based materials are used to control problems with adult mosquitoes.

An audience member asked about the typical response to a mailed survey. Van Steyn said the response rate is around 20-25%, which provides a fairly accurate prediction of how people will vote on a ballot measure (within a +/- 2 % margin of error). Supervisor Reid asked if SCI would use a standard survey or one designed for this specific area. Van Steyn said they have a template that can be customized for a particular area (he showed Reid a sample).

Supervisor Bauer asked about the smallest area they can survey. Van Steyn said this would depend on how small of an area in which the County would be willing to provide services. SCI can survey in any small community, but there may not be enough households in that area to pay for the cost of the service. Before conducting a survey, the County may want to consider the potential costs and alternatives, and determine if the area has enough households to support the program.

Since there is only one person in the north part of the County that contracted West Nile, Councilmember Reid said he will talk with the community further about the reality of funding a mosquito abatement district, given that the Board won't use general funds to do so. He will also ask if they want to do a survey about funding options or wait for state grants.

Supervisor Hazard said Benton was not interested in pursuing this last year; he asked if the community was interested now. Members in the audience said they don't have a mosquito problem, but may be interested in vector control. The real need is for more emergency medical services.

David Wilbrecht, CAO, said Dr. Johnson could put together information about vector control, and then make a presentation to the Board.

Supervisor Reid said he will follow-up with the north part of the County, and the Board could discuss vector control during the budget meeting. He also said Dr. Johnson's educational flyer regarding vector control has been well received. Dr. Johnson said he can meet with the communities in the north to provide education. He pointed out that he has no jurisdiction on federal lands, which present a variety of issues.

Supervisor Bauer asked if SCI could conduct a benefit assessments survey for roads. Van Steyn said yes.

**ADJOURNMENT @ 8:03 p.m.**

Mono County Board of Supervisor's next regular session will be on **August 7, 2007**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.

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